

# Year 2006 Questionnaire for Fertilizer Registrants

## May 2006

### PURPOSE

The information you provide in this questionnaire will assist the Washington State Department of Agriculture (WSDA) and the Washington State Department of Ecology (Ecology) in the timely and efficient processing of your Application for Registration of Commercial Fertilizer. Chapter 15.54 RCW requires that all waste-derived and micronutrient fertilizers submit the analytical test results described below to demonstrate compliance with Washington's Dangerous Waste Regulations.

**Completion of this questionnaire will help you prepare a complete registration application.**

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Company Name \_\_\_\_\_

Contact Name \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_

Product Name \_\_\_\_\_ WSDA Reg. # \_\_\_\_\_

Yes   No   Unsure

1. ☐   ☐   ☐   Are any of your products waste-derived fertilizers? "Waste-derived" means the origin of one or more of the fertilizer components is a "waste or secondary material" from a production process. A waste-derived fertilizer is defined in RCW 15.54.270 as "a commercial fertilizer that is derived in whole or in part from solid waste as defined in chapter 70.95 or 70.105 RCW, or rules adopted thereunder, but does not include fertilizers derived from biosolids or biosolids products regulated under chapter 70.95J RCW or wastewaters regulated under chapter 90.48 RCW." In general, "waste or secondary materials" includes materials from mining or manufacturing processes that are not the primary products.

Yes   No

2. ☐   ☐   Are any of your products micronutrient fertilizers? A micronutrient fertilizer is defined in RCW 15.54.270 as "a produced or imported commercial fertilizer that contains commercially valuable concentrations of micronutrients, but does not contain commercially valuable concentrations of nitrogen, phosphoric acid, available phosphorus, potash, calcium, magnesium or sulfur."

**STOP!** If you answered "No" to both #1 and #2, above, you do not need to continue. The tests described on the back side of this form are not required for your fertilizers.

Yes   No   N/A

3. ☐   ☐   ☐   If you answered "Yes" to #1 or #2, above, and you are renewing an existing registration for a waste-derived or micronutrient product, is the source(s) of the waste-derived or micronutrient material the same as when the product was last registered in Washington State? If this product is unchanged and it has been reviewed at least twice before by Ecology, the tests listed on the back side of this Questionnaire may not be required.

(Over)

If you answered “No” to #3, above, (or it is Not Applicable) for any of your waste-derived or micronutrient fertilizers, the tests described in #4 and #5, below, are required for each of those fertilizers. Complete this form and include the results of the TCLP metals and HOC tests for each fertilizer that falls into this category.

4. ☐ **Test results on the fertilizer product analyzed for arsenic, barium, cadmium, chromium, lead, mercury, selenium, and silver using the Toxicity Characteristic Leaching Procedure (TCLP).** This analysis must be conducted using standardized, accepted practices outlined in *Test Methods for Evaluating Solid Waste – Physical/Chemical Methods*, Environmental Protection Agency (EPA) Publication SW-846, Method 1311. This publication is available on the internet at <http://www.epa.gov/epaoswer/hazwaste/test/sw846.htm>. The analysis results should specify that this method was used and it should also include quality assurance and quality control test results.

OR

- ☐ **Land Disposal Restriction (LDR) Certification as described in the federal Code of Regulations 40 CFR Part 268.7(b)(6).** If you have filed an LDR Certification with the EPA, submit a copy of that certification. That certification must state: “*I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support this certification and believe that it has been maintained and operated properly so as to comply with treatment standards specified in 40 CFR 268.49 without impermissible dilution of the prohibited wastes. I am aware there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.*”

AND

5. ☐ **Test results on the fertilizer product analyzed for Halogenated Organic Compounds (HOC).** Test Method 9076 of *Test Methods for Evaluating Solid Waste – Physical/Chemical Methods*, EPA Publication SW-846, must be used for HOC testing. This publication is available on the internet at <http://www.epa.gov/epaoswer/hazwaste/test/sw846.htm>.

Specific guidance for each test method listed above can also be found in *Chemical Testing Methods for Designating Dangerous Waste*, WA State Department of Ecology Publication #97-407. For information or questions regarding the required test data or publications listed above or for hard copies of the test methods, please contact:

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## **The Testing Requirements Have Changed For Waste-derived and Micronutrient Fertilizers!!**

Based on amendments made in 2004 to the Dangerous Waste Regulations relating to fertilizers, the Washington State Department of Ecology (Ecology) has revised its requirement for the testing of waste-derived and micronutrient fertilizers. Companies that are renewing their registrations for waste-derived and micronutrient fertilizer products that have been previously reviewed by Ecology may not be required to submit the additional test data listed on the Year 2006 Questionnaire for Fertilizer Registrants (attached).

If each of the following conditions is met, a fertilizer registrant may not be required to submit test data for Toxicity Characteristic Leaching Procedure (TCLP) metals or the Halogenated Organic Compounds (HOC) as described in the Questionnaire:

1. The waste-derived or micronutrient product has been previously tested for TCLP metals and HOC and reviewed by Ecology in at least two prior registration cycles.
2. The source(s) of the waste-derived or micronutrient components in the fertilizer product is unchanged from that used when the fertilizer was previously reviewed by Ecology.
3. The fertilizer product formulation has not changed from when the fertilizer was previously reviewed.

If you are renewing a registration for a fertilizer product(s) that meets these conditions, be sure to check the “Yes” box in Question #3 on the 2006 Questionnaire. The TCLP metals and HOC tests that you have done in the past will not be required unless Ecology has specific concerns regarding this product.

***Please Note: Even when the above conditions are met, Ecology reserves the right, on a case-by-case basis, to require a registrant to provide updated TCLP metals and HOC test data as deemed necessary.***

For details on the changes to the regulations referred to above, please see the Washington Administrative Code 173-303-505 at <http://www.ecy.wa.gov/pubs/wac173303.pdf>.

For questions, please contact Miles Kuntz at (360) 407-6748 or [miku461@ecy.wa.gov](mailto:miku461@ecy.wa.gov).